

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

IN RE BARD IVC FILTERS PRODUCTS
LIABILITY LITIGATION

No. 2:15-MD-02641-DGC

**SECOND AMENDED MASTER
SHORT FORM COMPLAINT FOR
DAMAGES FOR INDIVIDUAL
CLAIMS AND DEMAND FOR JURY
TRIAL**

Plaintiff(s) named below, for their Complaint against Defendants named below, incorporate the Master Complaint for Damages in MDL 2641 by reference (Doc. 364).

Plaintiff(s) further show the Court as follows:

1. Plaintiff/Deceased Party:

2. Spousal Plaintiff/Deceased Party's spouse or other party making loss of consortium claim:

3. Other Plaintiff and capacity (i.e., administrator, executor, guardian, conservator):

4. Plaintiff's/Deceased Party's state(s) [if more than one Plaintiff] of residence at the time of implant:

- 1 5. Plaintiff's/Deceased Party's state(s) [if more than one Plaintiff] of residence
2 at the time of injury:
3 _____
4 6. Plaintiff's current state(s) [if more than one Plaintiff] of residence:
5 _____
6 7. District Court and Division in which venue would be proper absent direct
7 filing:
8 _____
9 8. Defendants (check Defendants against whom Complaint is made):
10 ☐ C. R. Bard Inc.
11 ☐ Bard Peripheral Vascular, Inc.
12 9. Basis of Jurisdiction:
13 ☐ Diversity of Citizenship
14 ☐ Other: _____
15 a. Other allegations of jurisdiction and venue not expressed in Master
16 Complaint:
17 _____
18 _____
19 _____
20 10. Defendants' Inferior Vena Cava Filter(s) about which Plaintiff(s) is making
21 a claim (Check applicable Inferior Vena Cava Filter(s)):
22 ☐ Recovery[®] Vena Cava Filter
23 ☐ G2[®] Vena Cava Filter
24 ☐ G2[®] Express Vena Cava Filter
25 ☐ G2[®] X Vena Cava Filter
26 ☐ Eclipse[®] Vena Cava Filter
27 ☐ Meridian[®] Vena Cava Filter
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- ☐ Denali® Vena Cava Filter
- ☐ Other: _____
- 11. Date of Implantation as to each product:

- 12. Counts in the Master Complaint brought by Plaintiff(s):
 - ☐ Count I: Strict Products Liability – Manufacturing Defect
 - ☐ Count II: Strict Products Liability – Information Defect (Failure to Warn)
 - ☐ Count III: Strict Products Liability – Design Defect
 - ☐ Count IV: Negligence - Design
 - ☐ Count V: Negligence - Manufacture
 - ☐ Count VI: Negligence – Failure to Recall/Retrofit
 - ☐ Count VII: Negligence – Failure to Warn
 - ☐ Count VIII: Negligent Misrepresentation
 - ☐ Count IX: Negligence *Per Se*
 - ☐ Count X: Breach of Express Warranty
 - ☐ Count XI: Breach of Implied Warranty
 - ☐ Count XII: Fraudulent Misrepresentation
 - ☐ Count XIII: Fraudulent Concealment
 - ☐ Count XIV: Violations of Applicable _____ (insert state) Law Prohibiting Consumer Fraud and Unfair and Deceptive Trade Practices
 - ☐ Count XV: Loss of Consortium
 - ☐ Count XVI: Wrongful Death
 - ☐ Count XVII: Survival
 - ☐ Punitive Damages

☐ Other(s): _____ (please state the facts supporting this Count in the space immediately below)

13. Jury Trial demanded for all issues so triable?

☐ Yes

☐ No

RESPECTFULLY SUBMITTED this ____ day of _____, 20__.

[SIGNATURE BLOCK]

By: /s/
[Attorney name/address]

I hereby certify that on this ____ day of _____, 20__, I electronically transmitted the attached document to the Clerk's Office using the CM/ECF System for filing and transmittal of a Notice of Electronic Filing.

 /s/